

Senate Unit Asks Justice Department For 8 Documents on U.S. Surveillance

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The Senate Constitutional Rights Subcommittee yesterday wrote the Justice Department to request eight specific documents relating to the government's role in gathering domestic intelligence.

In a letter to Attorney General John N. Mitchell, the subcommittee headed by Sen. Sam J. Ervin (D-N.C.) requested documents involving surveillance guidelines, criteria for intelligence gathering and specific information on FBI activities in this field.

Subcommittee sources said they were complying with the Justice Department by putting

their request in writing, even though they had verbally asked Assistant Attorney General Robert Mardian for the documents on March 17.

The subcommittee request does not bear directly on wire-tapping allegations raised Monday by House Majority Leader Hale Boggs (D-La.). But presumably the requested information would be pertinent to Boggs' charge that congressmen's phones are being tapped by the FBI.

Sought by the subcommittee are:

1—A series of memoranda by former Attorney General Ramsey Clark establishing guidelines for surveillance in connection with FBI investigations of civil disturbances.

2—Memorandum by Attorney General Mitchell outlining purposes of various types of surveillance authorized by the Justice Department.

3—Internal memos culminating in the 1967-68 Clark directives setting forth procedures on various types of surveillance.

4—A June 8, 1970, statement entitled "Demonstrations and Dissent in the Nation's Capital."

5—Internal FBI guidelines on surveillance relating to crimes and civil disorders.

See FBI, A6, Col. 1

Even innocent fingerprints stay with FBI. Page A6.

Senate Unit Seeks Surveillance Memos

FBI, From A1

6—FBI regulations dealing with civil disturbances.

7—More extensive information about alleged FBI information leaks relating to the bribery charges against San Francisco Mayor Joseph Alioto, and about subsequent disciplinary action against agents.

7—Any other documents relating to the gathering of domestic intelligence by the Justice Department.

Subcommittee sources said the request was culled from Assistant Attorney General Mardian's testimony on March 17 in which he referred to various internal memoranda containing operating instructions for the collection of information.

Mardian said there were no specific, published surveillance guidelines, but he and Assistant Attorney General William Rehnquist said the best guarantee against abuses was Executive Branch "self-discipline," not legislation.

Mardian promised then only that the Justice Department would consider the subcommittee's request for internal documents, some of which he said might be classified.

Ironically, in view of Rep. Boggs' charges of less than a month later, Rehnquist told Sen. Ervin at the March hearing that the government would be within its constitutional authority if it put the senator under surveillance.

Rehnquist said such surveillance would be "inappropriate" and "a waste of taxpayers' money" but would not violate the senator's constitutional rights.

When Boggs charged this week that FBI agents had kept congressmen under surveillance and tapped their telephones, the White House, Justice Department and FBI Director J. Edgar Hoover denied the allegations.